



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SANTANA ROW HOTEL PARTNERS, L.P.,) CASE NO.: C 05-00198 JW

Plaintiff,

v.

ZURICH AMERICA INSURANCE
COMPANY and GALLAGHER-PIPINO,
INC.,

Defendants.

**STIPULATION AND ORDER REGARDING
THE CONTINUANCE OF THE HEARING
DATE FOR THE MOTIONS/CROSS-
MOTIONS FOR PARTIAL SUMMARY
JUDGMENT AND THE ISSUES TO BE
BRIEFED ON THE MOTIONS/CROSS-
MOTIONS FOR PARTIAL SUMMARY
JUDGMENT**

Complaint Filed: January 12, 2005

WHEREAS, the parties hereto have encountered certain difficulties completing the discovery necessary to adequately brief the motions/cross-motions for partial summary judgment referenced in the Court's Order dated May 24, 2005; and

WHEREAS, the parties hereto desire further clarification from the Court regarding the issues to be briefed in said motions/cross-motions;

IT IS THEREFORE STIPULATED by and between the parties hereto through their respective attorneys of record as follows:

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1. The hearing on the motions/cross-motions for partial summary judgment is continued from October 24, 2005 to December 19, 2005 at 9:00 a.m.; and
2. The Case Management Conference currently scheduled for October 24, 2005 will remain on calendar. At that time, counsel for the parties will seek clarification from the Court regarding the issues to be briefed in the motions/cross-motions for partial summary judgment. No less than 10 days before the hearing, the parties will submit a short, joint statement regarding the issues upon which they seek clarification.

DATED: August __, 2005

JONES TURNER, LLP

By: _____
Steven D. Turner
Attorneys for Defendant ZURICH AMERICAN
INSURANCE COMPANY

DATED: August __, 2005

RUBY & SCHOFIELD

By: _____
Steve Ellenberg
Attorneys for Plaintiff SANTANA ROW
HOTEL PARTNERS, L.P.

DATED: August __, 2005

SELVIN WRAITH HALMAN, LLP

By: _____
Gary R. Selvin
Attorneys for Defendant GALLAGHER-
PIPINO, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

The Honorable James Ware
United States District Judge

1. The hearing on the motions/cross-motions for partial summary judgment is continued from October 24, 2005 to December 19, 2005 at 9:00 a.m.; and
2. The Case Management Conference currently scheduled for October 24, 2005 will remain on calendar. At that time, counsel for the parties will seek clarification from the Court regarding the issues to be briefed in the motions/cross-motions for partial summary judgment. No less than 10 days before the hearing, the parties will submit a short, joint statement regarding the issues upon which they seek clarification.

DATED: August 4, 2005

JONES TURNER, LLP

By: 

Steven D. Turner
Attorneys for Defendant ZURICH AMERICAN
INSURANCE COMPANY

DATED: August 3, 2005

RUBY & SCHOFIELD

By: 

Steve Ellenberg
Attorneys for Plaintiff SANTANA ROW
HOTEL PARTNERS, L.P.

DATED: August 3, 2005

SELVIN WRAITH HALMAN, LLP

By: 

Gary R. Selvin
Attorneys for Defendant GALLAGHER-
PIPINO, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 8/4/05

/s/ James Ware

The Honorable James Ware
United States District Judge